



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION I**  
**ONE CONGRESS STREET, SUITE 1100**  
**BOSTON, MASSACHUSETTS 02114-2203**

**POLLUTION REPORT (POLREP)**

**I. HEADING**

Date: November 20, 2003  
Subject: EPAC Superfund Site  
Waterbury, Connecticut  
From: Leslie Sims, OSC, EPA Region 1, Office of Site Remediation and  
Restoration, Emergency Planning and Response Branch  
To: POLREP Distribution List  
POLREP: 2

**II. BACKGROUND**

Site No.: 01BA  
Task Order No.: N/A  
Response Authority: CERCLA, §104(a) and §106(a)  
ERNS No.: 90441  
CERCLIS No.: CTD001454214  
NPL Status: Not Listed  
State Notification: CT DEP  
Action Memo: Signed on 15 July 2003  
Start Date: 18 November 2003  
Demob Date: To Be Determined (TBD)  
Completion Date: TBD

**III. SITE INFORMATION**

**A. Incident Category**

Inactive Production Facility

**B. Site Description**

**1. Site Location**

The Site is located at 730 North Main Street, Waterbury, Connecticut, at coordinates 41° 33' 44" north latitude by 73° 01' 54" west longitude. The Site is bounded by commercial properties to the north, residential properties and the Naugatuck River to the east, residential properties to the south, and residential neighborhood and Martin Luther King Jr. Park to the west. EPAC was a metal plating company that

was a tenant at the Great Brook Industrial Park, which is owned by Waterbury Realty, LLC. The industrial park is a multi-section, light manufacturing, industrial-use brick complex located on approximately 11 acres. EPAC operated at one of the buildings at the industrial park until 25 December 2002, at which time a fire destroyed much of the building. An adjacent, partially-intact, two-story building is open to the burned-out remains of the EPAC building on one side. This two-story structure is owned by Waterbury Realty, LLC (Waterbury), but was vacant and not leased to EPAC.

## **2. Description of Threat**

The presence of asbestos, PCBs, and drums potentially containing hazardous substances pose a direct contact threat to local residents and those who may enter the Site. Access to the Site is unrestricted, and the burned-out remains of the structure may act as an attractive nuisance, bringing unauthorized individuals in close contact with asbestos-containing building materials, drums, or PCB-contaminated surface soils.

### **C. Preliminary Assessment/Site Investigation Results**

EPA and the Superfund Technical Assessment and Response Team contractor (START) mobilized to the site on 20 March 2003 to conduct the site investigation. During the investigation, START collected bulk samples, for asbestos, from a boiler unit located in the ruins of the building and other areas of fire debris. Air monitoring was conducted near several drums that indicated elevated levels of organic vapors. The drums, however, could not be safely accessed due to fire debris. Although the capacitors and transformers could not safely be opened during the investigation, stained surface soils beneath the transformers were sampled. Sampling conducted during the investigation confirmed the presence of asbestos on the boiler unit and PCBs in the stained soils beneath the transformers. Based on the findings of the site investigation, a removal action was recommended on 21 April 2003.

## **IV. RESPONSE INFORMATION**

### **A. Situation**

#### **1. Current situation**

On 18 November 2003 Waterbury began PRP-Lead cleanup activities at the EPAC Superfund Site. The project will be performed in 2 distinct phases. Phase I addresses the removal of asbestos on/around the boiler unit, and Phase II will address the remaining hazards, namely PCB-contaminated oil and soils and drums of unmarked substances.

## **2. Removal activities to-date**

September 12, 2003

Pursuant to the AOC, Waterbury Realty identified Alliance Environmental as its Project Coordinator and supervising contractor for the removal action.

October 23, 2003

Notice of Non-compliance and Disapproval of Project Coordinator submitted to Waterbury Realty due to non-performance.

November 2, 2003

New Project Coordinator submitted for EPA approval.

November 12, 2003

Conditional approval of Workplan and Project Coordinator granted by EPA. The Workplan is for asbestos removal only. Project is planned to be completed in two phases. Phase I (Asbestos abatement) and Phase II (PCBs and unknown drums). A separate workplan and qualification of lead contractor to be submitted by Waterbury prior to beginning Phase II work.

November 18, 2003

**Asbestos abatement work begins at EPAC Superfund Site.**

## **3. Enforcement**

*A Notice of Potential Liability and Invitation to Perform or Finance Response Actions* has been sent to Waterbury Realty. Pursuant to the AOC, the removal is proceeding as a PRP-lead action. EPA is also pursuing a pending Toxic Substances Control Act (TSCA) enforcement action at the site regarding the discovery of PCBs. TSCA enforcement activities were ongoing prior to the emergency response.

## **B. Planned Removal Activities**

The removal action includes:

collecting and removing asbestos-containing materials from the boiler unit and surrounding areas;  
removing PCB-contaminated oil from the transformers, if present;  
removing the capacitors and PCB-contaminated surface soils;  
determining whether hazardous substances are present in the drums (which could not be accessed during the removal site investigation); and  
transporting hazardous substances to approved off-site disposal facilities.

## **C. Next Steps**

Awaiting the Work Plan and designation of lead contractor for Phase II activities.

## **D. Key Issues**

As a result of the PRP-designated Project Coordinator's (Alliance Environmental) inability to submit a valid work plan and consistently not meeting required AOC required deadlines, the PRP was issued a notice of non-compliance. In response to that notice, the PRP removed Alliance Environmental as the Project Coordinator and assumed this role as its own contractor. David Wiener was designated the new project manager to oversee the completion of the cleanup. Due to this circumstance, it was necessary to adjust the project time-line to allow Mr. Wiener enough time to complete the necessary work plan and hire contractors for the job.

Mr. Wiener could not immediately provide a qualified contractor to complete the SOW related to the removal of PCB oils and unknown drummed waste streams. However, he was successful in providing a valid work plan and state-certified contractor to perform the asbestos work. Given the emergency nature of the cleanup, Waterbury was allowed to complete the cleanup in two distinct phases. This allowed for the immediate removal of the asbestos and gave Waterbury additional time to submit a valid work plan and secure qualified contracts for the removal of the remaining hazardous materials (Phase II), namely PCB oils and unknown drummed substances.

## V. COST INFORMATION

<u>Extramural Costs</u>	<b>CEILING</b>	<b>SPENT</b>	<b>REMAINDER</b>
ERRS Contractor*	300,000	- 0 -	300,000
START Contractor	+ <u>\$50,000</u>	<u>934</u>	<u>49,066</u>
Subtotal	\$350,000	934	349,066
Contingency (10%)	+ <u>\$35,000</u>	<u>- 0 -</u>	<u>35,000</u>
Total	\$385,000	934	384,066
 <u>Intramural Costs</u>			
EPA Regional Personnel	+ <u>\$75,000</u>	<u>4,500</u>	<u>70,500</u>
<b><u>PROJECT CEILING</u></b>	<b>\$460,000</b>	<b>5,434</b>	<b>449,910</b>

*\*No ERRS task order has been issued to date.*

The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.<sup>1</sup>

## VI. DISPOSITION OF WASTES/PRODUCT

No disposal activities have occurred to date. Disposal of all waste related to this cleanup remains the sole responsibility of Waterbury, LLC.

---

<sup>1</sup>Approximate amount used for cost recovery purposes will be actual costs, for example, \$460,000 x 1.2702 (current indirect rate).